

REMARKS

Applicants respectfully request further examination and reconsideration of the instant case in view of the instant response. Claims 1-19 remain pending in the case. No new matter has been added.

Information Disclosure Statement

The Office Action mailed on March 22, 2006 states the information disclosure statement filed November 21, 2005 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. Applicants have filed herewith a corrected information disclosure statement complying with 37 CFR 1.98(a)(3).

Applicants wish to summarize the information disclosure statement filing timeline in an effort to correct any and all unintentional errors and omissions associated with the filing of the information disclosure statement.

On June 1, 2004, an IDS was submitted under 37 CFR 1.97(b). The publication number for the "Brunner" reference was incorrectly entered. The correct publication number should read 2003/0141510. The corrected publication number for the "Brunner" reference is submitted in the IDS filed herewith.

On March 29, 2005, an IDS was submitted under 37 CFR 1.97(b). The "foreign language documents" box was inadvertently not checked, nor was a concise explanation of the relevance of the foreign patent documents provided. The IDS filed herewith includes an English translation of at least the Abstract of each of the foreign language documents submitted in the IDS filed on March 29, 2005.

In the Office Action mailed on 1/12/2005, the Examiner indicated that the "Brunner" reference was not considered because the IDS received on June 7, 2004 indicated the incorrect publication number. A corrected IDS was not filed in conjunction with the response to the Office Action mailed on 1/12/2005, however, as stated above, the corrected publication number for the "Brunner" reference is submitted in the IDS filed herewith.

On 11/18/2005, an IDS was incorrectly submitted under 37 CFR 1.97(c) with \$180.00 fee as set forth under 37 CFR 1.17(p). The "foreign language documents" box was inadvertently not checked, nor was a concise explanation of the relevance of the reference supplied for the "Song" reference. A "family" search has revealed that a corresponding US version of the Song reference was published on 6/26/2003. The application issued to U.S. Patent No. 6,707,069. The IDS filed herewith includes the corresponding US version of the Song reference (Publication Number 2003/0116769).

The IDS filed herewith is under 37 CFR 197(b). The IDS filed herewith corrects the unintentional errors and omissions in the previously filed IDSs.

Claim Rejections35 U.S.C. §102

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Kyocera (JP 2002232017 A), hereafter referred to as Kyocera. The rejection is respectfully traversed for the following rational.

In the “response to arguments” portion of the Office Action mailed on March 22, 2006, the Examiner responds to the Applicants’ argument that “an insufficient translation was given to show that 34 is a metallic coating” by stating “to come to this conclusion, the Examiner contacted a Japanese translator at the USPTO.” Applicants wish to thank the Examiner for contacting a Japanese translator at the USPTO. In the meantime, Applicants have obtained an English translation of the Kyocera reference.

However, as depicted in Figure 4 of Kyocera, layer 34 is not present on the substrate. As depicted in Figure 4, layer 34 is present only on the sidewalls. Failing to have a metallic coating on the substrate teaches away from “a metallic coating on a portion of said ceramic substrate,” as claimed by embodiments of the present invention. Applicants assert that Kyocera fails to teach or suggest “a metallic coating on a portion of the substrate,” as claimed. As such, Claim 1 is not anticipated by Kyocera and Applicants respectfully request the 102 rejection to Claim 1 be removed.

35 U.S.C. §103

Claims 2, 8, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kyocera in view of Kosman et al., (U.S. Patent No. 3,821,590), hereafter referred to as Kosman. The rejection is traversed for the following rational.

As stated above, Kyocera fails to teach or suggest "a metallic coating on a portion of said ceramic substrate" as claimed in independent Claim 1.

Independent Claim 8 teaches "coating a portion of said ceramic substrate with a light reflective material" and independent Claim 14 teaches "a metallic coating on a portion of said ceramic substrate." Kosman fails to remedy the deficiencies of Kyocera described above.

In addition, Kosman teaches away from "substantially vertical sidewalls," as claimed, by teaching in column 3, lines 64-67 "the concavities are spherical." In addition, Kosman teaches away from "a single cavity," as claimed by teaching in column 3 lines 66-67 "six cavities are situated in a ring round a central cavity." This is different from a "standalone ceramic cavity," as claimed in Independent Claim 1 and a "single ceramic cavity," as claimed in independent Claims 8 and 14. For this rational, Claims 2, 8 and 14 are patentable over Kyocera in view of Kosman.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kyocera in view of Barlian (U.S. Patent No. 4,600,977), hereafter referred to as Barlian. The rejection is traversed for the following rational.

As stated above, Kyocera fails to teach or suggest "a metallic coating on a portion of said ceramic substrate" as claimed in independent Claims 1, 8 and 14. Barlian also fails to remedy the deficiencies of Kyocera. Furthermore, Barlian teaches away from embodiments of the present invention because the cavity of Barlian is preferably made of plastic (column 6, lines 24-25) which is different from the "ceramic cavity" as claimed. For this rational, Claim 3 is patentable over Kyocera in view of Barlian.

Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kyocera in view of Zou (U.S. Patent No. 6,186,649), hereafter referred to as Zou. The rejection is traversed for the following rational.

As stated above, Kyocera fails to teach or suggest "a metallic coating on a portion of said ceramic substrate" as claimed in independent Claim 1. Zou fails to remedy the deficiencies of Kyocera described above.

It is respectfully submitted that Zou fails to teach or suggest "a ceramic package comprising substantially vertical ceramic sidewalls," as claimed. In addition, one skilled in the art would not be motivated to combine the teachings of Kyocera with Zou because they directed towards different inventions. Kyocera teaches a LED package and Zou teaches a linear light source, which emits light in all directions (Zou column 5 lines 1-3). For this rational, Claims 4 and 5 are patentable over Kyocera in view of Zou.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kyocera in view of Gleason (U.S. Patent No. 1,340,443), hereafter referred to as Gleason. The rejection is traversed for the following rational.

As stated above, Kyocera fails to teach or suggest "a metallic coating on a portion of said ceramic substrate" as claimed in independent Claim 1. Gleason fails to remedy the deficiencies of Kyocera.

In addition, it is respectfully submitted that Gleason fails to teach or suggest "a ceramic package comprising substantially vertical ceramic sidewalls," as claimed. In addition, one skilled in the art would not be motivated to combine the teachings of Kyocera with Gleason because they directed towards different inventions. Kyocera teaches a LED package and Gleason teaches a lighting unit for high-powered lights, which does not use LEDs. For this rational, Claim 6 is patentable over Kyocera in view of Gleason.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kyocera in view of Huang (U.S. Patent No. 6,715,901), hereafter referred to as Huang. The rejection is traversed for the following rational.

As stated above, Kyocera fails to teach or suggest "a metallic coating on a portion of said ceramic substrate" as claimed in independent Claim 1. Huang fails to remedy the deficiencies of Kyocera.

Huang fails to remedy the deficiencies of Kyocera because Huang fails to teach or suggest "a metallic coating on a portion of the ceramic substrate" and

fails to teach or suggest "substantially vertical ceramic sidewalls," as claimed. In fact, Huang teaches away from substantially vertical sidewalls because Huang teaches half-circle cavities (Figure 5) which have non-vertical sidewalls. This is very different from "substantially vertical ceramic sidewalls," as claimed. For this rational, Claim 7 is patentable over Kyocera in view of Huang.

Claims 9 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kyocera in view of Kosman and further in view of Barlian. The rejection is traversed for the following rational.

As stated above, Kyocera fails to teach or suggest "a metallic coating on a portion of said ceramic substrate" as claimed in independent Claims 8 and 14. Both Kosman and Barlian, alone or in combination with Kyocera fail to remedy the deficiencies of Kyocera.

In fact, Kosman teaches away from "substantially vertical sidewalls" by teaching in column 3, lines 64-67 "the concavities are spherical." In addition, Kosman teaches away from "a single cavity," as claimed by teaching in column 3 lines 66-67 "six cavities are situated in a ring round a central cavity." This is very different from a "single cavity," as claimed in independent Claims 8 and 14.

Furthermore, Barlian also teaches away from embodiments of the present invention because the cavity of Barlian is preferably made of plastic (column 6, lines 24-25) which is different from the "ceramic cavity," as claimed. For this rational, Claims 9 and 15 are patentable over Kyocera in view of Kosman in further view of Barlian.



Claims 10, 11, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kyocera in view of Kosman in further view of Zou. The rejection is traversed for the following rational.

As stated above, Kyocera fails to teach or suggest "a metallic coating on a portion of said ceramic substrate" as claimed in independent Claims 1, 8 and 14. Kosman fails to remedy the deficiencies of Kyocera and Kosman teaches away from "substantially vertical sidewalls," as claimed, by teaching in column 3, lines 64-67 "the concavities are spherical." In addition, Kosman teaches away from "a single cavity," as claimed by teaching in column 3 lines 66-67 "six cavities are situated in a ring round a central cavity." This is very different from a "single cavity," as claimed in independent Claims 1, 8 and 14.

Likewise, Zou fails to remedy the deficiencies of Kyocera and Kosman. It is respectfully submitted that Zou fails to teach or suggest "a ceramic package comprising substantially vertical ceramic sidewalls," as claimed. In addition, one skilled in the art would not be motivated to combine the teachings of Kyocera with Zou because they directed towards different inventions. Kyocera teaches a LED package and Zou teaches a linear light source, which emits light in all directions (Zou column 5 lines 1-3). For this rational, Claims 10, 11, 16 and 17 are patentable over Kyocera in view of Kosman in further view of Zou.

Claims 12 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kyocera in view of Kosman as applied to Claims 8 and 14 above and further in view of Gleason.

As stated above, Kyocera fails to teach or suggest "a metallic coating on a portion of said ceramic substrate" as claimed in independent Claims 1, 8 and 14. Kosman fails to remedy the deficiencies of Kyocera and Kosman teaches away from "substantially vertical sidewalls" by teaching in column 3, lines 64-67 "the concavities are spherical." In addition, Kosman teaches away from "a single cavity," as claimed by teaching in column 3 lines 66-67 "six cavities are situated in a ring round a central cavity." This is very different from a "single cavity," as claimed in independent Claims 1, 8 and 14.

It is respectfully submitted that Gleason fails to teach or suggest "a ceramic package comprising substantially vertical ceramic sidewalls," as claimed. In addition, one skilled in the art would not be motivated to combine the teachings of Kyocera with Gleason because they directed towards different inventions. Kyocera teaches a LED package and Gleason teaches a lighting unit for high-powered lights, which does not use LEDs. For this rational, Claims 12 and 8 are patentable over Kyocera in view of Kosman in further view of Gleason.

Claims 13 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kyocera in view of Kosman as applied to Claims 8 and 14 above in further view of Huang.

As stated above, Kyocera fails to teach or suggest "a metallic coating on a portion of said ceramic substrate" as claimed in independent Claims 1, 8 and 14. Kosman fails to remedy the deficiencies of Kyocera and Kosman teaches away from "substantially vertical sidewalls," as claimed, by teaching in column 3, lines

64-67 "the concavities are spherical." In addition, Kosman teaches away from "a single cavity," as claimed by teaching in column 3 lines 66-67 "six cavities are situated in a ring round a central cavity." This is very different from a "single cavity," as claimed in independent Claims 1, 8 and 14.

Huang fails to remedy the deficiencies of Kyocera and Kosman because Huang fails to teach or suggest "a metallic coating on a portion of the ceramic substrate" and fails to teach or suggest "substantially vertical ceramic sidewalls," as claimed. In fact, Huang teaches away from "substantially vertical sidewalls" because Huang teaches half circle cavities (Figure 5) which include non-vertical sidewalls. This is very different from "substantially vertical ceramic sidewalls," as claimed. For this rational, Claim 7 is patentable over Kyocera in view of Huang.

CONCLUSION


In light of the above listed remarks, reconsideration of the amended Claims is requested. Based on the arguments presented above, it is respectfully submitted that Claims 1-19 overcome the rejections and objections of record and, therefore, allowance of Claims 1-19 is earnestly solicited.

Should the Examiner have a question regarding the instant response, the Applicants invite the Examiner to contact the Applicants' undersigned representative at the below listed telephone number.

Respectfully submitted,

WAGNER, MURABITO & HAO L.L.P.

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